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Security Council

Fifty-seventh year

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Thursday, 5 September 2002, 10.30 a.m.

New York

President:	Mr. Passy	(Bulgaria)
Members:	Cameroon	Mr. Tidjani
	China	Mr. Zhang Yishan
	Colombia	Mr. Valdivieso
	France	Mr. Doutriaux
	Guinea	Mr. Boubacar Diallo
	Ireland	Mr. Ryan
	Mauritius	Mr. Koonjul
	Mexico	Ms. Lajous
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Singapore	Mr. Yap
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Cunningham

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999).

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02-57840 (E)

The meeting was called to order at 10.45 a.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of September, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. John D. Negroponte, Permanent Representative of the United States to the United Nations, for his service as President of the Security Council for the month of August 2002. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Negroponte for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

The President: I should like to inform the Council that I have received letters from the representatives of Denmark, the Former Yugoslav Republic of Macedonia, Ukraine and the Federal Republic of Yugoslavia, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Šahović (Federal Republic of Yugoslavia), took a seat at the Council table; Ms. Løj (Denmark), Mr Kerim (Former Yugoslav Republic of Macedonia) and Mr. Kuchinsky (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

It is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

I now give the floor to Mr. Annabi.

Mr. Annabi: I am pleased to have this opportunity, as you requested, Sir, to provide the Security Council with a briefing on developments which have occurred in Kosovo since Mr. Michael Steiner, the Special Representative of the Secretary-General, last briefed the Council on 30 July.

During this period, the United Nations Interim Administration Mission in Kosovo (UNMIK) has continued its efforts to uphold the rule of law. It has moved forward in its preparations for the municipal elections to be held on 26 October and has also continued to work on creating conditions conducive to the return of minority communities. I will now deal with each of these aspects successively.

As regards efforts to uphold the rule of law, I should like to begin by recalling UNMIK's efforts in this regard over the past few weeks. Last month, investigations that had been under way for some time led to the issuance of indictments and to the arrest by UNMIK Police of several former members of the Kosovo Liberation Army (KLA) — including some prominent ones — on charges of crimes committed against fellow Kosovo Albanians in 1999.

On 8 August, an international prosecutor indicted seven former KLA members held in detention since their arrest on 18 June on charges of unlawful detention and inflicting grievous bodily harm against Kosovo Albanians in the Pec region back in 1999.

In addition to these charges, one suspect was charged with murder. Those indicted included Daut Haradinaj, the suspended Chief of General Staff of the Kosovo Protection Corps and brother of Ramush Haradinaj, leader of the Alliance for the Future of Kosovo.

Several days later, five of the suspects were indicted on additional but separate charges of

endangering public safety during an incident in which gunfire was exchanged in July 2000. That indictment also covered Ramush Haradinaj. Due to the relatively minor nature of the charges against him, however, Mr. Haradinaj has not been arrested. He has said that he will answer the charges against him in a court of law.

On the 11 of August, United Nations Interim Administration Mission in Kosovo (UNMIK) police arrested Rrustem Mustafa, also known as Commander Remi, a former high-ranking officer of the Kosovo Liberation Army (KLA), on suspicion of illegally detaining, torturing and murdering five Kosovo Albanians in 1998 and 1999. This indictment stemmed from an investigation that led to the arrest of three former KLA members in January this year. Rrustem Mustafa remains in custody after an international judge ordered his detention for a further 30 days on 13 August.

During the same period, on 8 August, UNMIK police and KFOR attempted, albeit unsuccessfully, to arrest Milan Ivanovic, the leader of the Serb National Council of Mitrovica, on charges of attempted murder during the violent demonstrations of 8 April in Mitrovica in which 22 UNMIK police officers were injured. On 20 August, UNMIK requested the Serbian Ministry of the Interior to take the necessary steps to arrest Mr. Ivanovic, who is still at large, should he be found in Serbia proper. We understand that Mr. Ivanovic has demanded certain guarantees from UNMIK and the authorities of the Federal Republic of Yugoslavia regarding the judicial handling of his case as a condition for submitting to the Kosovo judiciary.

KFOR carried out several arrests of its own during the period under review. On 8 August, KFOR arrested 19 Kosovo Albanians in the Gnjilane region in the context of its efforts to prevent armed extremist activities along the border with the former Yugoslav Republic of Macedonia. Three days later, 17 of those 19 Kosovo Albanians were subsequently released due to lack of evidence.

On 12 August, KFOR arrested three Kosovo Albanians in Pristina on suspicion of recruiting other Kosovo Albanians for armed activities in the former Yugoslav Republic of Macedonia. Three more were arrested the following day. KFOR has said that most individuals thought to be seeking to recruit for, or organize, any armed activity related to the former Yugoslav Republic of Macedonia will be kept in detention until the elections, scheduled for 15 September, are over.

At the beginning of August, KFOR also arrested three Algerian nationals on charges of photographing KFOR installations in the Gnjilane region; two more were arrested on 16 August. The Algerian Embassy in Belgrade has been informed of the arrests.

Prime Minister Rexhepi expressed full support for KFOR's actions, and reiterated that violence in Kosovo or against the former Yugoslav Republic of Macedonia could not be tolerated.

The reaction to UNMIK's arrests of former KLA members was, however, predictably more adverse. A number of organized public demonstrations were held in different locations to protest the arrests. These demonstrations largely occurred without incident. One protest, however, turned violent. In Decani, on 15 August, around 150 demonstrators had to be dispersed with tear gas by UNMIK police and a number of injuries were incurred by both UNMIK police and the demonstrators. President Rugova spoke out immediately against this violence against the international community, and used his influence to calm down the situation.

Reflecting the sentiment in some Kosovo Albanian quarters, Mr. Rexhepi issued a statement on 19 August, calling on UNMIK to stop the arrests, characterizing those arrested or indicted as "political prisoners and hostages to the political process". The statement also questioned UNMIK's jurisdiction over crimes committed prior to its establishment in June 1999.

The Kosovo Serb community in Kosovo and the authorities of the Federal Republic of Yugoslavia also characterized the indictment against Milan Ivanovic as political in nature, and there have been protests in the northern part of Mitrovica.

UNMIK has acted to calm down emotions and to dispel the idea that it was intentionally targeting former KLA members. It issued a measured statement, focusing on its commitment to the rule of law. It also briefed representatives of Member States in Pristina, and statements in support of UNMIK were subsequently made by the United States, the Russian Federation and the European Union.

The Principal Deputy Special Representative of the Secretary-General, Mr. Charles Brayshaw, together with the commander of KFOR, Lieutenant-General Valentin, explained the details behind the arrests to Prime Minister Rexhepi, to President of the Kosovo Assembly Nexhet Daci, and to members of the Kosovo Serb Return Coalition. During these discussions, UNMIK emphasized the independence of the judiciary in Kosovo, which has full authority to act on crimes committed prior to the adoption of Security Council resolution 1244 (1999).

Since then, the reaction of Kosovo Albanian leaders and the media has been toned down. Prime Minister Rexhepi called for the immediate cessation of protests against the international community, intimating that the response should be an institutional one rather than street protests, and in a meeting with Mr. Steiner on 1 September he reaffirmed the Government's commitment to continued cooperation with UNMIK.

The leader of the Democratic Party of Kosovo, Hashim Thaci, has also spoken against the use of violence, and stated that immunity did not apply automatically to all who participated in the war. The head of the Kosovo Protection Corps (KPC), Mr. Ceku, predictably condemned the arrests of former KLA and KPC members, but also advocated peaceful debate and discussion as the way forward. The protests that have continued — with a few hundred demonstrators on average — have been well controlled.

I would like to turn now to developments in other priority areas, including the building of functioning democratic institutions and the preparation of the upcoming municipal elections. On 8 August, Mr. Steiner convened a special panel, headed by an international legal expert, to consider Kosovo Serb objections to the higher education bill adopted by the Assembly in July. This was the first time that this mechanism, which is provided for by the Constitutional Framework to protect the rights of minority communities, has been invoked. On 9 August the special panel recommended the licensing of the University of Northern Mitrovica and urged the Kosovo Serb community to take measures to integrate its establishment into a unified education structure. These recommendations will be presented for the Assembly's consideration when it reconvenes after its summer recess.

Work has continued on building a professional civil service. The Senior Public Appointments Committee has approved the appointment of Permanent Secretaries to five of the 11 ministries. Efforts are under way to complete the recruitment to these important positions.

Seventy thousand people have now applied for, and 21,000 beneficiaries from all communities have started to receive, a basic pension, following the promulgation by Mr. Steiner of the law on basic pensions passed by the Kosovo Assembly at the end of June.

Turning to the municipal elections, preparations for them are proceeding smoothly. The voter service operation, which is the process of updating the voters list, came to a close on 23 August. By that date, around 3,400 new voters had registered in Serbia proper and in Montenegro. Although this number may appear low, it is partly attributable to the fact that for last year's Assembly elections, approximately 104,000 people registered to vote in person from outside Kosovo. An important aspect of this year's voter service operation was the transfer of electoral responsibilities to local institutions. The municipal election commissions have had an expanded role and taken the lead in carrying out voter service activities.

As of the end of August, the Central Election Commission had certified 500 out of a total of 5,500 candidates from all communities, with the remaining candidates slated for certification by the end of this week. The candidates come from a broad range of political entities, including 25 political parties, 23 citizens' initiatives, nine independent candidates and one coalition. Of these entities, 21 are Kosovo Albanian, 26 are Kosovo Serb, five are Roma, Egyptian or Ashkali, five are Bosniac or Gorani, and one is from Kosovo's Turkish community.

The electoral campaign is scheduled to begin on 10 September. Despite divisions in opinion regarding the recent arrests, political leaders from all communities have called for the elections to be inclusive and to take place in a peaceful and calm environment.

The Serbian authorities have requested that Kosovo Serbs in Kosovo be enabled to vote in the Serbian presidential elections, which are scheduled for 29 September. As was the case with the federal and Serbian elections in September and December 2000,

respectively, UNMIK will not stand in the way of the Kosovo Serbs' exercising their right to vote.

I now wish to turn to the return of internally displaced persons. In August, the Office of the United Nations High Commissioner for Refugees (UNHCR) arranged the first go-and-see visit, as they are called, of Kosovo Serb internally displaced persons in Serbia proper to the town of Pristina. The group was given a warm reception by the Kosovo Albanian Vice-President of the Pristina Municipal Assembly, among others. There are plans to continue such visits to Pristina on a regular basis.

The Gnjilane region has seen a considerable increase in spontaneous returns over the summer. While return is of course welcome, unorganized return can have adverse consequences. This was unfortunately seen in Klokot, in the Gnjilane region, the day after Mr. Steiner briefed the Council at the end of July. On 31 July, there was a series of five explosions in an area primarily inhabited by Kosovo Serbs, in which two KFOR soldiers were injured. UNMIK has established a fund to support inter-ethnic community improvement projects in the affected village and is working to establish a mechanism to handle spontaneous returns more effectively.

In this context, recent statements by Kosovo Serb internally displaced persons that they are planning to block the crossing points on the administrative boundary line with Kosovo later this month if they are not allowed to return en masse are cause for concern. Although the impatience of internally displaced persons is understandable, given the still delicate state of inter-communal relations, any action along those lines would only be counterproductive and would be harmful to the returns process.

There cannot be artificial mass return. UNMIK's return policy is based on the right of individual return in an organized way so that it can be sustainable. This requires careful preparation on the ground to ensure that the physical infrastructure — meaning houses, employment and access to public services — is in place to welcome the returnees. It also requires a careful handling of relations with the neighbouring Kosovo Albanian communities to diminish the potential for return-related security incidents.

The incident in Klokot illustrates the fragility of the reconciliation and confidence-building process and underlines the importance of inter-communal dialogue. There were several other incidents against Kosovo Serbs during the period under review that have also caused concern. On 29 August Kosovo Serb woodcutters in the Pec region reported being attacked and shot at by unidentified gunmen. UNMIK police and the Kosovo Police Service responded and were forced to call for KFOR reinforcements as the situation escalated and the firing continued. It is suspected that the situation occurred as part of ongoing protests in the area by Kosovo Albanians regarding the amount of timber being collected by Kosovo Serbs.

One of the greatest obstacles to the implementation of returns-related projects is the lack of funding. In order to address this, UNMIK had extensive contact with the donor community in Kosovo during the past month and took representatives of donor countries and organizations on a visit to potential return sites.

I would like to say a word on relations with the former Yugoslav Republic of Macedonia. UNMIK has continued discussions with the authorities of the former Yugoslav Republic of Macedonia to find practical ways of addressing the concerns of Kosovo farmers in the border area. A decision was reached in principle to open two new border crossing points through which the farmers would have access to the affected lands on the basis of an UNMIK travel document. The location of these new border crossing points is still under discussion.

Turning now to the energy situation in Kosovo, Council members will recall the unfortunate lightning strike that resulted in extensive fire damage at the power plant in Obilic, near Pristina, in July. Since then, the investigation has revealed that the extent of the damage was attributable to negligence in the management of the site. As extensive repairs to the damaged section of the station began, Mr. Steiner appointed an international expert to manage the situation. The appointment of a temporary Managing Director is intended to depoliticize the issue and to place the emphasis on the practical issues that need to be addressed.

The damage means that Kosovo — yet again, unfortunately — faces critical energy shortages as we approach the winter. A speedy response from donors, supplemented by the Kosovo consolidated budget, has enabled repairs to begin on one part of the facility, which will, it is hoped, be completed by the beginning

of December. Another part of the station, however, cannot be operational until the summer of next year at the earliest. The Government is pursuing a strategy to reduce public consumption and to encourage conservation through an energy savings campaign.

In conclusion, as I have tried to show in this briefing, there was some tension over the past month as a result of the arrests that have taken place. UNMIK believes that the Kosovo Albanian leadership now has a better understanding that those arrests were the result of lengthy investigations carried out in accordance with well-established judicial procedures, and took place without regard for ethnic or political affiliation. In addition, Prime Minister Rexhepi has assured UNMIK of the leadership's continued support for the firm line taken by UNMIK and KFOR in their efforts to uphold the rule of law. I would like to take this opportunity to express our appreciation for the statements of support issued by Council members and by the European Union, which UNMIK found very helpful. UNMIK will continue to rely on the Council's support in its efforts to consolidate the rule of law in Kosovo.

As the provisional institutions return from the summer recess, they will face a formidable list of tasks that need to be accomplished: coping with the energy situation, finishing the recruitment of candidates to fulfil important civil service functions, and passing legislation on a whole range of other issues. We look forward to their productive engagement in tackling those issues together with UNMIK. At the same time, as the election campaign nears, UNMIK will be looking to the elected representatives to ensure that the lead-up to the second round of municipal elections is free of violence and is conducted in an atmosphere of inclusion and tolerance.

Mr. Tidjani (Cameroon) (*spoke in French*): The delegation of Cameroon would like to express to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, its great appreciation for his up-to-date and highly informative briefing on the situation in Kosovo. We followed his presentation with the greatest attention.

Speaking at the Council meeting on Kosovo of 30 June 2002, my delegation stressed the need to capitalize on all the positive signs that had emerged from the report of the Secretary-General (S/2002/779), in order to consolidate the still-fragile outlines of a rebirth of normal activity in Kosovo. We pointed out that strengthening security, disarming all armed groups and encouraging the return of all minorities should be the priorities. Today, we note that, thanks to the dedication of the men and women caring for Kosovo, the implementation of those priorities is already beginning to bear fruit.

We have also seen remarkable progress in strengthening the rule of law throughout the territory of Kosovo in the fight against insecurity and crime in all its forms. My delegation supports the plan for regional cooperation in the fight against organized crime, which, however, cannot achieve the anticipated results unless the police and justice services now being created or restructured respond positively to the hopes placed in them. In that regard, the current situation augurs well for a promising future, although on the judicial level it still requires increased cooperation among all sociopolitical elements as well as among the subregional authorities.

Mr. Steiner, Special Representative of the Secretary-General for Kosovo, told us after the parliamentary and presidential elections that he felt the time had come, in the context of the new phase of the United Nations operation, to gradually transfer authority in Kosovo to the institutions of provisional self-government without prejudging the future political status of the province. We gave him our support, as did other Council members. We now reaffirm that support, and we call upon the Kosovo authorities to respect scrupulously their mandate, which is defined by the Constitutional Framework. That is the only way for this process to progress harmoniously and according to the established programme.

Kosovo will be a province of law or it will not exist. Recent incidents which led to highly regrettable statements by the Kosovo authorities deserve to be condemned with the utmost energy. The fragile rebirth of a democratic and multi-ethnic Kosovo, under the guidance of the United Nations, deserves to be strengthened and strongly supported. Certainly, the return to normalcy in Kosovo will be a long process in which patience, perseverance and, above all, tact will be the virtues necessary in order to bring Kosovo into the great family of the Balkans, purged of its ancient demons of hatred, violence and war.

To reach at that final stage, we must pass through other crucial intermediary phases. One is the organization of the municipal elections scheduled for

26 October 2002. We express our appreciation for the process set up by the United Nations Interim Administration Mission in Kosovo (UNMIK) with a view to enabling wide participation in those elections, including by voters outside Kosovo, all in a spirit of order and transparency. At this stage, my delegation cannot subscribe to any idea that would hamper the laborious work under way to achieve reconciliation among all the components of Kosovo's population. The delegation of Cameroon appeals to all of sociopolitical sectors to take part, without conditions, in this third electoral phase. We should also like to take this opportunity to say that my delegation noted Mr. Steiner's invitation to Security Council members to take part on the ground in the elections scheduled for 26 October.

The extension of UNMIK's authority throughout Kosovo and respect for the rule of law are the aspects that, in our view, deserve particular attention in future United Nations action in that province. More than ever, the success of the United Nations Mission in Kosovo depends on cooperation: the cooperation of all sociopolitical components in Kosovo, the cooperation of the Federal Republic of Yugoslavia and of the former Yugoslav Republic of Macedonia, and the cooperation of the international community, including in financial terms.

Finally, my delegation reaffirms its appreciation and encouragement to all international organizations and to the members of UNMIK who are working daily on the ground for the advent of true peace in Kosovo.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We are pleased, Sir, to see you, the Foreign Minister of Bulgaria, in the Chair. We are grateful to your delegation for having taken the initiative to convene today's meeting to consider the problem of Kosovo in depth. We would also like to thank Assistant Secretary-General Hédi Annabi for his detailed briefing.

As was made clear in the briefing, the situation in and around Kosovo continues to be very difficult and requires that the international community give it constant attention and demonstrate its proactive involvement in it. We note with satisfaction the success that has been achieved by the United Nations Interim Administration Mission in Kosovo (UNMIK) under the leadership of Michael Steiner to establish the institutions of provisional self-government in the province, to resolve outstanding economic and social problems, to establish a dialogue with the Serbian Return Coalition and to develop cooperation with the Belgrade Government.

However, local authorities still have a long way to go before we can seriously start talking about consolidation of the day-to-day workings of Kosovo's institutions of self-government and about the principle of multi-ethnicity. It remains a fact that there are still frequent cases of those bodies disregarding the interests of minorities, which could have a negative impact on the level of minority participation in the upcoming municipal elections. If that happens, we will not have the balance needed to create the conditions for the further normalization of daily life in Kosovo.

The situation regarding inter-ethnic relations is already alarming. Efforts by UNMIK to establish the necessary conditions for the return of minorities have so far not produced significant results. Mr. Annabi has mentioned how delicate this problem is. In fact, according to assessments by the North Atlantic Treaty Organization (NATO), one of the most problematic areas in terms of ethnically motivated violence, is the south-east sector of Kosovo, namely, the Klokot area. According to NATO reports, which are available from Brussels, there are still cases of intimidation and of trying to instil fear in Serbs. Explosions and house burnings also continue to take place there. Obviously, similar actions, including the examples just given by Mr. Annabi, are aimed at expelling Serbs from the province. That is of course intolerable.

We resolutely support the efforts of Michael Steiner to consolidate the rule of law in Kosovo. However, it is quite clear that the United Nations Mission in Kosovo is still facing many serious problems in this area. We believe the main problem is the deliberate resistance by the criminalized segment of society, principally by former fighters of the Kosovo Liberation Army (KLA) and members of other radical nationalist groups. The fact is that those groups have representatives in Kosovo's governing structures. It is precisely those groups that provoked the disturbances in Pristina and a number of other places by protesting legitimate actions taken by UNMIK and KFOR police to arrest former KLA commanders and people who had committed serious crimes.

We are convinced that, strictly in keeping with resolution 1244 (1999), UNMIK should continue to

take robust action to restore order in the province and to establish law and order. In that regard, UNMIK should staunchly protect its staff from all kinds of insinuation and should counter any attempts to discredit them, including politically motivated attempts. We believe that the Security Council should help create the necessary political background and stop any attacks on international staff performing the tasks entrusted to them. Attempts by Kosovo's institutions of self-government to call into question the legitimacy of UNMIK's efforts to combat crime and extremism are also inadmissible. In fact, the representative of Cameroon has just mentioned this point. I agree with his position regarding the need to condemn such attempts.

The question of Mitrovica continues to be an acute problem. We are convinced that we need to use exclusively political methods to resolve this matter, in close contact with Belgrade and without any use of force or type of coercion. The situation in Mitrovica is very sensitive. It is important that the international presence act in a very responsible manner and that it avoid any rash or improperly thought out action.

There is another unresolved problem: the demarcation of the Yugoslavia-Macedonia border in keeping with the Agreement concluded between Belgrade and Skopje. The demarcation of the Kosovo section of that border will be possible only with the direct participation of UNMIK. Once again, we call for an acceleration of the start of the work that must be done in this regard. This is an important matter, which needs to be resolved; it is being delayed in an unjustified way.

Speaking in this Chamber last April, Michael Steiner and the head of the Federal Republic of Yugoslavia/Serbia Coordinating Centre for Kosovo and Metohija, Mr. Čović, invited members of the Security Council to visit Kosovo in order to get to know the situation on the ground and to assess the progress made. We think such a visit would be timely and could perhaps take place in November after the holding of municipal elections. Of course, the mission would also visit Belgrade to make contact with the leadership of the Federal Republic of Yugoslavia. We think that sending a Security Council mission would make it possible once again to demonstrate strong support for UNMIK's work to secure full implementation of resolution 1244 (1999). Such a mission would also serve to reaffirm the international community's commitment to a comprehensive settlement.

The President: I thank the representative of the Russian Federation for his kind words addressed to me and to my country.

Mr. Doutriaux (France) (*spoke in French*): I wish to pay tribute to you, Sir, for personally presiding over our work on Kosovo today. I also wish to thank Hédi Annabi for his very complete briefing on the situation in Kosovo.

As Mr. Annabi has told us, a few weeks away from municipal elections in Kosovo, we find ourselves at a crossroads once again. Those elections will surely present a new test of inter-ethnic reconciliation in Kosovo. However, as Mr. Annabi has also told us, some tension has emerged in the wake of several arrests in recent weeks. This shows that we still have some important tasks to accomplish in the near future and that there are still obstacles to be overcome.

France supports the statement to be made by the Danish presidency of the European Union. I would therefore simply wish to emphasize two points.

First, with regard to the important aspects of human rights, security, combating organized crime and so forth covered by Mr. Annabi, the message from the entire Security Council must be one of unanimous support for the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK), KFOR and Special Representative Michael Steiner. They are carrying out an active policy of restoring the rule of law, fighting crime and, as Ambassador Lavrov has just noted, combating inter-ethnic incidents and actions taken against members of other ethnic groups. We must give full support to UNMIK in this.

We are gratified by what Mr. Annabi explained to us, that among the Kosovar authorities there is now a greater understanding of UNMIK's action to restore the rule of law. The fact remains that the European Union did express regret at the statement made on 19 August by the Kosovo Government in that respect. But I understand that things are now improving and that UNMIK's action is better understood today.

UNMIK's action to restore the rule of law involves all ethnicities. The support we give to UNMIK's activities in this regard applies to actions by both sides. It is important to recall this today.

A second point concerns the elections, which will be an important test on 26 October. We are pleased to hear from Mr. Annabi that preparations are proceeding well, that many voters have already registered, whatever their ethnic affiliations, and that many candidates have already come forward. The Serbian authorities have called upon the Serb community to participate fully in the elections. This is, of course, a very good thing. The international community, the Security Council, will be following the conduct of the elections very closely. For us, this will be another test in the restoration of a fully normal situation in Kosovo.

Let me conclude by briefly recalling my country's important commitment to Kosovo in UNMIK and KFOR. The French Minister for Foreign Affairs will be in Kosovo on 7 September and, the day before, in neighbouring Bosnia and Herzegovina.

The President: I thank the representative of France for his kind words addressed to me and to my country.

Mr. Yap (Singapore): We are pleased and honoured to see you, Mr. President, presiding over this meeting. It confirms the importance that Bulgaria attaches to the Kosovo issue.

We would like to thank Assistant Secretary-General Annabi for his useful update on the situation in Kosovo. It is right that he highlighted adverse reactions to the recent arrests of former members of the Kosovo Liberation Army and the unsuccessful planned arrest of Milan Ivanovic. We condemn these negative reactions, and we welcome and support the efforts to calm down the situation.

To suggest that there are political motivations in the actions of the United Nations Interim Administration Mission in Kosovo (UNMIK), and to stage protests against them, is not only destabilizing; it is also a direct challenge to UNMIK's authority in enforcing the rule of law in Kosovo. This is of great concern, more so since establishing the rule of law is central to any peacekeeping operation. Listed as one of the benchmark areas for the implementation of resolution 1244 (1999), the rule of law is a key condition for the readiness of Kosovo society and institutions to establish a process for determining the final status of the territory.

The benchmarks document prepared by the Special Representative of the Secretary-General, Mr. Steiner, is clear on what the rule of law entails. Explicit guidelines on what needs to be accomplished under the rule of law demonstrate the usefulness of the benchmarks process as a tool for measuring progress and directing the way forward.

At the last public meeting on Kosovo, we made the point that the benchmarks process appeared to have already contributed to substantial progress in a number of critical areas, such as responsible Government institutions, law and order, and return and reconciliation of displaced persons. However, we also noted that much more remained to be done to bring security, stability and advancement to the province, and that the vision of an all-inclusive multi-ethnic society was still some distance away. In this regard we hope that the negative reactions to the arrests will not lead Kosovo in the opposite direction from the vision that Mr. Steiner has set out for the province. We call on the Kosovo leaders to play their part in strengthening respect for the rule of law and for UNMIK's authority in Kosovo.

As the Security Council regularly discusses Kosovo, we would encourage deeper reflection and analysis of the benchmark areas to ascertain the trends and any threats that may emerge. Reinforcing and preventive actions can then be taken as necessary. The unhealthy situation in Mitrovica and some other parts of Kosovo and the plaguing energy problem are issues of particular concern. We note from Mr. Annabi's briefing the potential threat looming on the horizon of ethnic Serb displaced persons blocking crossing points at the Kosovo administrative border. This could undermine the returns programme and efforts to reintegrate the ethnic Serbs and other minorities into Kosovo society. We urge UNMIK, Belgrade and the Kosovo leaders to make their best efforts to resolve these problems.

The President: I thank the representative of Singapore for his kind words addressed to my country and myself.

Mr. Cunningham (United States): I would like to welcome you, Foreign Minister Passy, to the Security Council and to express our appreciation to you for chairing this meeting. I also want to thank Mr. Annabi for his briefing.

I wish to address briefly the three main categories of issues that Mr. Annabi raised, because they are all-important at this stage of developments in Kosovo.

The first is the question of the rule of law. We have long called for and supported the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to strengthen the rule of law. We believe that that is a fundamental project that needs to be realized. We believe that UNMIK handled the recent arrests and prosecutions fairly, without prejudice to any group, and we strongly expect all leaders in Kosovo and the region to cooperate in efforts to prosecute serious crime. We regretted Prime Minister Rexhepi's initial statements criticizing UNMIK in speaking of political prisoners, but we welcome his call to end protests and his expressed commitment to work with UNMIK. I note there was considerable support from many of Kosovo's political leaders and intellectuals in support of the arrests. Some called for Kosovo's leaders to act responsibly through the provisional institutions of self-government, and not through mobs in the street. We were encouraged by these statements, which reflect a commitment to the benchmark process launched by Special Representative Steiner, which we strongly support. As for Mr. Ivanovic, we trust that he will be apprehended in the near future.

With regard to political process and elections, in our view much more needs to be done to deepen Kosovo's provisional institutions of self-government. For example, we would like to see the Assembly meet on a set schedule and forego the temptation to react on an ad hoc basis to the latest headlines. We are pleased that preparations for elections seem to be on track and that there are positive signs that support continues to grow in Kosovo for a democratic Government that represents all communities. We are pleased that 72 parties and other political entities, including more than 30 representing Serb and minority communities, have already registered for the Kosovo municipal elections in October.

Regarding refugees, we are also encouraged by continued progress on the return of refugees and internally displaced persons. Providing real opportunities for returns, together with sustainable solutions for these vulnerable populations, is a necessary component of long-term stability. Unfortunately, we are all aware that this will take some time. We are concerned about calls for unorganized mass returns that would be irresponsible and destabilizing. This is not the way to promote multi-ethnic democracy in Kosovo, and I agree completely with Mr. Annabi that this would be counterproductive and harmful to the return process. We need careful preparation and sustainable returns in order to create the kind of stability that I am sure we all want to see.

In sum, we believe that the focus in the months ahead should be on making progress on the benchmarks, continuing the important work that has been done on returns and supporting participation by all groups in Kosovo's municipal elections in October.

The President: I thank the representative of the United States for the kind words he addressed to me.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): I too, Mr. Minister, wish to begin by welcoming you to this meeting of the Security Council, especially as we are today addressing a subject of great significance to your region. In that connection, let me say that we appreciate the ongoing interest that Ambassador Tafrov and the rest of his delegation have taken in matters concerning the Balkans.

I also take this opportunity to thank Mr. Annabi for the information he has provided. Although there have been some moments of tension, on the whole we are pleased at the positive developments we see in Kosovo. Yet again, we reaffirm our support for and recognition of the work of the Special Representative of the Secretary-General, Mr. Steiner, and the personnel of the United Nations Interim Administration Mission in Kosovo (UNMIK).

Let me comment on a few points raised by Mr. Annabi. First, as others have consistently done today, we reiterate that it is necessary to strengthen the rule of law. The events of recent days relating to UNMIK's arrest of members of the Kosovo Liberation Army (KLA) and to the reactions to those arrests give cause for concern. The appeal to the community by Assembly President Daci and by Prime Minister Rexhepi to cease demonstrations and comply with UNMIK decisions has been very useful. It is all the more noteworthy considering that their initial reaction had been negative.

UNMIK and the new institutions must be able to establish the machinery needed to take appropriate measures to strengthen the rule of law, which can guarantee the consolidation of democracy in Kosovo. Here, we reaffirm that there can be no security without justice and that, without security, there can be no foundations for the building of a multi-ethnic society. We therefore appeal to UNMIK to pursue its work in

that direction, and we call upon the leaders of the Administration to support its activities without politicizing justice.

Secondly, let me turn to the problem of refugees and internally displaced persons. We are pleased to learn that the number of returns has increased under the UNMIK policy of encouraging individual rather than mass returns; people must be able to return to their homes in Kosovo with assurances of the safety, security and freedom of movement they need to return to a constructive life. In that regard, we call on the Serb community to think hard about the idea of a protest march to the Kosovo-Serbia border to exert pressure in favour of a massive return of refugees. The safety and security of refugees and displaced persons must be taken into account, thus promoting a returns policy guaranteeing personal safety, as UNMIK has been doing.

Colombia has always attached great importance to joint efforts at cooperation and dialogue between UNMIK and Belgrade, and we call upon the Belgrade leadership to continue working to find a final solution for Mitrovica. It is necessary to put an end to parallel structures in the region in order to guarantee the establishment of democratic institutions that will ensure the rule of law.

I wish finally to mention progress towards the holding of municipal elections. We are pleased that the number of candidates has grown, especially among those representing minorities. We shall all look forward to a transparent campaign leading to a positive result in terms of the consolidation of democracy. Likewise, we support the efforts of UNMIK to facilitate participation by Kosovo Serbs in the elections to be held in Yugoslavia.

The President: I thank the representative of Colombia for the kind words he addressed to my country, to me and, especially, to Ambassador Tafrov.

Mr. Wehbe (Syrian Arab Republic) (*spoke in Arabic*): Let me begin, Sir, by congratulating you warmly on your assumption of the presidency of the Security Council for the month of September. We are pleased to see you, the Minister for Foreign Affairs of Bulgaria, presiding over this important meeting. At the same time our thanks go to Ambassador Tafrov for having taken the initiative to convene this meeting, especially because Bulgaria is located in the heart of the Balkans and has always had a deep interest in all the important issues relating to that region.

My delegation wishes also to extend its thanks to His Excellency Ambassador John Negroponte, Permanent Representative of the United States, and to the other members of his delegation for the success with which they guided the work of the Council last month.

My thanks go also to Mr. Hédi Annabi for this morning's comprehensive and detailed briefing on the most recent developments in Kosovo.

Mr. Annabi spoke at some length about the arrests carried out by the United Nations Interim Administration Mission in Kosovo (UNMIK); we consider that these were of individuals suspected of having committed serious crimes and that they were not directed at any group to which those individuals belonged or with which they were otherwise affiliated. I reaffirm that UNMIK is proceeding in complete accordance with its mandate under Security Council resolution 1244 (1999), which charged it with the task of establishing the rule of law. Nor is the Mission's mandate limited to the provisions of that resolution or to the wishes of the international community at large; it also reflects the wishes of the population of Kosovo. These arrests were made following lengthy investigations by UNMIK that began in early 1999.

Moreover, UNMIK's activities over the past few years have demonstrated its keen interest in establishing democratic institutions and a stable society in Kosovo, guaranteeing the protection of all the people of Kosovo and aimed at enforcing the rule of law with a view to ensuring a better future for Kosovo. We look forward to the upcoming municipal elections in Kosovo with great hope that they will be democratic and will represent all factions, minorities and ethnic groups in a balanced manner. In this way, the atmosphere necessary to guarantee security and safety for all in Kosovo and to build the economic structures essential to meeting the needs of its people can be established.

In general, we support UNMIK's efforts under Mr. Steiner's leadership and therefore endorse the principle of establishing the rule of law and justice in Kosovo, in accordance with resolution 1244 (1999). We express the hope that the issue of the return of minorities will be accorded the necessary priority. This will help bring stability to Kosovo, avert various

problems for Kosovar society arising from its multiethnic nature, and protect it from all the negative aspects of extremism aimed essentially at tearing it apart. In order to further increase the growing number of returnees that we have seen recently, and which we welcome, it is thus necessary to protect the crossing points through which the returnees must pass on their way home and to keep the extremists away from those points.

We welcome Mr. Steiner's proposal, referred to by Ambassador Lavrov, to dispatch a Security Council mission in the near future in order to assess the situation first-hand, to identify various problems and to demonstrate genuine support for UNMIK's mandate and work.

The President: I thank the representative of the Syrian Arab Republic for his kind words addressed to me, to my country and to my Ambassador here in New York.

Mr. Kolby (Norway): I would like to welcome you to New York, Sir, and to commend you for convening this meeting and presiding over it yourself. I congratulate Bulgaria on its assumption of the presidency of the Council.

I would like to thank Mr. Annabi for his briefing and, through him, Special Representative Steiner and the United Nations Interim Administration Mission in Kosovo (UNMIK) for their efforts to implement resolution 1244 (1999), including the realization of benchmarks.

In particular, we fully support Mr. Steiner's efforts to establish the rule of law in Kosovo and UNMIK's firm policy when it comes to arresting individuals suspected of criminal activity, regardless of their ethnic or political affiliation. These tasks are clearly mandated in resolution 1244 (1999). Only by bringing criminals to justice can a society based on the rule of law be established.

Norway strongly emphasizes that political leaders in Kosovo must fully support UNMIK's efforts to enforce the rule of law in Kosovo. Allegations against UNMIK of having political motivations for the arrests are completely unacceptable, as is incitement to non-cooperation with UNMIK and any attack on personnel of the United Nations and the KFOR. We note that the Prime Minister and Assembly President have moderated earlier statements criticizing UNMIK's arrests and urge them and other Kosovo Albanian leaders to work with UNMIK and KFOR to promote the rule of law, as well as to secure conditions for returns.

My Government is concerned about the financial situation of the Housing and Property Directorate. Regularization of property rights is a precondition for returns and economic investments, which are priority tasks for UNMIK. Norway welcomes the increased emphasis placed on the return of displaced persons by the Special Representative. At the same time, we encourage giving more attention and resources to the Housing and Property Directorate's work in order to increase efficiency and case processing. We also call upon donor nations to provide more resources to the Directorate. This would help in finding sustainable solutions for thousands of internally displaced persons currently living under harsh conditions and unable to return to their homes. Norway has contributed €375,000 and is now in the process of seconding five lawyers to the institution.

We understand that a large number of apartments belonging to displaced Kosovo Serbs and other minorities have been illegally occupied by other residents of Kosovo. This is a major challenge to the rule of law and the return internally displaced persons.

Norway welcomes progress in preparations for the local elections in October and prospects for broad participation from all communities in Kosovo. This election will be the third democratic election to be held in Kosovo since 2000. Previous experience shows that implementation of election results is a challenge. Elections are more than a technical exercise. Elected representatives and local administrations must assume responsibilities, demonstrate accountability and focus on the tasks mandated to them.

At the municipal level, this pertains first and foremost to the delivery of public services to the local communities. Allocations of resources must be done in a transparent way. The provisional institutions must promote civil society and human rights; this is also a responsibility for the municipal assemblies and their administrations. Not least, members of ethnic minorities and women must be secured proportionate representation in the local Governments, as well as meaningful participation as civil servants. Only in this way can the Special Representative's benchmarks for the realization of effective, representative and

functioning institutions throughout Kosovo be achieved.

The President: I thank the representative of Norway for his kind words addressed to my country.

Ms. Lajous (Mexico) (*spoke in Spanish*): It is an honour for us to have you, Sir, the Minister for Foreign Affairs of Bulgaria, present and presiding over this meeting. Your presence emphasizes the importance that your country attaches to its participation in the Security Council.

I also wish to thank Mr. Annabi, Assistant Secretary-General for Peacekeeping Operations, for the information he has provided on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK).

The province of Kosovo continues to pose a challenge to the international community, despite the enormous political and economic capital invested there. To speak of Kosovo is to speak of a project for peace that has at times been thwarted by events that recall the conflict from which it emerged.

My delegation supports the concept of a Kosovo without ethnic divisions. However, acts of aggression among groups have not cease. Refugees of Serb origin who have decided to return to their homes face an adverse social environment, as demonstrated by the case of Stupelj. It is good to know that in the first half of this year, approximately 1,000 refugees returned to Kosovo. However, the total number of returnees has not reached 4,500 since 2000. Therefore we express the hope that the sustainable return programme will bring about better conditions for refugees returning to their homes in future years, and thus increase their number.

Mexico considers that the rule of law must be established in Kosovo, guaranteeing full respect for human rights. However, recent developments relating to the arrest of persons of Albania and Serb origin prompt us to think that despite the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) and of the international community, we are still far from the day when Kosovars, without distinction, will have full confidence in their institutions. In particular, we regretted the reaction of the Provisional Government, which questioned the legitimacy of these acts.

In reiterating its support for UNMIK and the Kosovo Force (KFOR), Mexico expresses its conviction that all persons who by virtue of their acts must appear before the courts should do so without distinctions, and with legal guarantees.

My delegation feels that unfortunate statements and acts of intolerance foment irrational and irreconcilable divisions among the citizens of the province. This is not the time to foment divisiveness. To the contrary, in a few weeks municipal elections will take place in Kosovo, and Kosovars will have another opportunity to express their democratic will in a peaceful way.

Democracy and the rule of law are the two concepts which in political practice complement and support each other. With regard to the rule of law, much remains to be done in Kosovo, especially as regards the administration of justice. Many of the problems faced by Kosovo could be overcome with the support of a trustworthy judicial system. The international community must make an effort to improve the administration of justice in the province without yielding to the temptation of employing a larger number of international judges.

All Kosovars and the international community are responsible for the future of the province. Many international and civil society organizations daily express their support for Kosovo, but that same international community wants to see greater inter-ethnic tolerance, stronger consolidation of democracy, and the establishment of the rule of law, under which human rights would be fully respected.

The President: I thank the representative of Mexico for her kind words addressed to Bulgaria and to me.

Mr. Zhang Yishan (China) (*spoke in Chinese*): First of all I wish to welcome you, the Foreign Minister of Bulgaria, here today to preside over this meeting. I also wish to thank Assistant Secretary-General Annabi for his comprehensive briefing.

Since the last meeting of the Security Council devoted to the question of Kosovo, the situation there has undergone many changes, some of which are encouraging while others are, regrettably, disturbing. The arrest of former Kosovo Liberation Army (KLA) members who are crime suspects helps the establishment of justice in Kosovo. We support efforts made by the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR in this regard.

At the same time we hope that UNMIK will intensify its investigative efforts and bring all perpetrators of crimes to justice in order to lay a solid foundation for a society based on the rule of law in Kosovo.

The Chinese delegation condemns all attacks against United Nation personnel and appeals to parties concerned to take necessary measures to ensure their safety. Our delegation has always been very concerned about the return of refugees and displaced persons. We have noted that recent developments have hampered the return of some ethnic minorities. We hope that UNMIK will consider this matter important and take effective measures to create an environment conducive to the return of refugees and create a favourable atmosphere for the October municipal election.

The President: I thank the representative of China for his kind words addressed to my country.

Mr. Eldon (United Kingdom): Thank you, Mr. President and Minister, and welcome to New York. It is very good to see you today presiding over this Council meeting, at which Hédi Annabi has, as usual, given us a most helpful and incisive briefing.

As the representative of Denmark will speak later on behalf of the European Union, I will limit myself to two or three key points, as Ambassador Doutriaux of France did earlier.

I would like to make it clear, right at the outset, that the United Kingdom continues to support Special Representative Steiner's standards-before-status approach — or, I suppose, bench-marking, in the vernacular. The key challenges in the coming months will be strengthening the rule of law — and I noted that Mr. Annabi was quite right to major on this aspect in his statement — economic progress, and creating the conditions to ensure sustainable returns of internally displaced persons.

On the rule of law, like other around this table we welcome the recent high-profile arrests by UNMIK police and KFOR. The Kosovo institutions' response to the arrest of former KLA members was not helpful, and we have said this publicly. Like others, we support the eventual arrest of Milan Ivanovic, and we call on the authorities in Belgrade to share information on his whereabouts. As we have said often in the Council, relations with Belgrade are an important and essential element in making UNMIK work.

We welcome Mr. Kovic's continued cooperation on Kosovo. This, and cooperation between Belgrade, UNMIK and the provisional institutions, is essential to regional security. We need to ensure further cooperation between Belgrade and Pristina in the search for the eventual arrest of Mr. Ivanovic. Recent messages of support of Mr. Ivanovic, coming out of Belgrade have been inconsistent with Belgrade's stated support for the implementation of Security Council resolution 1244 (1999).

On refugee returns, we fully back UNMIK's rights-based approach for individual return of refugees and internally displaced persons to Kosovo. Individuals must decide for themselves whether — and if so, when — to return. Mass returns must not undermine an individual's right to choose. We consider recent call from Kosovo Serbs for crossing points into Kosovo to be blocked if there are no mass returns to be unhelpful, to say the least.

Finally, there is the economy, which will be a key foundation for Kosovo's future prosperity. We support plans for privatization as an aid for the encouragement of investment into Kosovo. We very much hope that a new director of the Kosovo Trust Agency will be appointed soon to take the privatization process forward.

In conclusion, I would want to encourage the early promulgation of the UNMIK regulation on ownership.

The President: I thank the representative of the United Kingdom for his kind words addressed to me.

Mr. Koonjul (Mauritius): Let me say first of all how pleased we are to see you, Mr. Minister, preside over the Council's deliberations today on this very important issue. Let me also thank Mr. Hedi Annabi for his very useful briefing.

It has been more than four years now since the landmark resolution 1244 (1999) was adopted and the United Nations Interim Administration Mission in Kosovo (UNMIK) was instituted to implement the provisions of this resolution. Since then, UNMIK personnel have been working relentlessly, sometimes in difficult circumstances, to fulfil their obligations. It is most unfortunate that UNMIK has been the subject of criticism by the Kosovo Assembly recently. Resolution 1244 (1999) specifically mandated UNMIK to bring peace and establish the rule of law in Kosovo.

Therefore, any arrests undertaken by UNMIK should not be seen or construed as being politically motivated, but as an essential part in the exercise of its duty, within the authority given to it by the Council.

Mauritius fully supports UNMIK and is fully confident that all the suspects arrested by UNMIK will have the chance for fair and objective justice as soon as possible. We call on the people of Kosovo to have full trust in, and to collaborate with, UNMIK in bringing peace and stability to the province for the benefit of all Kosovars, without discrimination. We encourage the Government of Kosovo to continue its close collaboration with UNMIK and KFOR, especially in the fight against organized crime and in solving other cases of criminal acts. We also support UNMIK in its effort to prevent any further escalation of last month's incidents and to uphold the rule of law as mandated by resolution 1244 (1999).

Municipal elections are due on 26 October, and the widest participation of all Kosovars is important to ensure a free, fair and democratic election. We call on all Kosovars, especially the Serb minority community, to participate fully in the process to ensure that they are represented at all levels of decision-making in the Government of Kosovo. It is also important for political leaders to refrain during their election campaigns from making statements in public that may destabilize the situation in the province. My delegation notes with satisfaction that preparations for the elections are going well, and we welcome the certification of Serb parties to participate in these forthcoming elections.

It is equally important to ensure the full success of these October elections. In this regard, we call on the Belgrade authorities to use all their influence on the Serb and other minority communities so that they may participate in great numbers during the forthcoming elections.

On the issue of refugees and internally displaced persons, we welcome the various steps taken by UNMIK to encourage their return. Though the return process has been rather slow, we hope that in the future, with the completion of the various projects under way and the availability of more facilities, the number of returnees will increase considerably.

As regards the economic situation of Kosovo, we have taken note of the positive developments, especially the plans for privatizations and so on, and we encourage the donor community to continue its contribution in order to boost Kosovo's economy.

Finally, I wish to express the appreciation of my delegation to the head of UNMIK, Special Representative of the Secretary-General Steiner, and his team for the good work which they are doing in fulfilling their mandate under resolution 1244 (1999).

The President: I thank the representative of the Mauritius for his kind words addressed to Bulgaria.

Mr. Ryan (Ireland): Ireland welcomes you, Mr. Minister, to the Security Council and congratulates Bulgaria on assuming the presidency of the Council during what will certainly be a challenging month.

We are also very grateful to Assistant Secretary-General Hedi Annabi for his, as always, full and detailed briefing.

Ireland fully supports the statement that will be delivered shortly by the representative of Denmark on behalf of the European Union. Like the French and British representatives, therefore, I will restrict my comments to a few issues of particular concern to my delegation.

First, it is important to stress again our full support for work of the United Nations Interim Administration Mission in Kosovo (UNMIK)in implementing resolution 1244 (1999). This includes the anti-crime initiative. The allegations levelled against UNMIK and KFOR following the arrest of various suspects are baseless and serve only to engender suspicion and distrust. It remains the firm and agreed aim of the Council to achieve a society in Kosovo that is based on the rule of law. The Special Representative and the Mission should continue to apply the law regardless of the ethnic, national or political affiliation of those accused. All Kosovar political leaders should support UNMIK and KFOR in the exercise of their responsibilities and should not exploit or encourage needless fears. In the meantime, we welcome the manner in which UNMIK and KFOR have calmed down the situation and the more helpful statements made recently by Kosovo Albanian leaders.

Secondly, the building of democratic institutions is vital to the transition to a fully functioning, multi-ethnic society, nowhere more so than in Kosovo. We welcome the progress already achieved with the provisional institutions in establishing concrete actions designed to meet the benchmarks set out by the Special

Representative. It is important that the Assembly should remain fully engaged in order to achieve the objective of local ownership of the process.

Thirdly, Kosovo's minorities must not only be accepted; they must be fully integrated. Serbs and other minorities returning to Kosovo must do so in the knowledge that they will live there in normal, secure conditions and that their concerns and views will be taken into account. Kosovo must be for all its people. Ireland is therefore encouraged by the improved security situation for minorities, by their increased representation in the police and judiciary and, more recently, by the range of political entities that have been certified and the number of voters registered for the municipal elections.

All organizations, including organizations outside of Kosovo concerned with internally displaced persons, should act constructively and try to facilitate as many individual returns as possible. There is a continued need for all political leaders to develop a substantive dialogue between and within the various communities. This is particularly important in order to enable them to represent their constituencies effectively and to prepare for the municipal elections.

Progress on this issue is of course linked to the development of dialogue with the Federal Republic of Yugoslavia. We welcome the improved nature of the meetings of the high-ranking Working Group and the fact that voter registration for the municipal elections bore witness to a positive relationship with the Belgrade authorities. Such cooperation in this and many other areas is indeed welcome. It is now also essential that the parallel structures be dismantled rapidly, particularly the parallel security structures in Mitrovica.

Fourthly, Ireland strongly supports Special Representative Steiner's efforts to focus the Assembly's attention on the wide range of issues for which it is responsible, including health and education. We have all seen recent reports about the lack of mental health facilities in Kosovo. I am sure that all of us agree that more attention must be paid to this important issue and that necessary resources must be provided. This, we believe, is not a choice; it is a duty.

Fifthly, it is clear that economic progress will be a vital component in encouraging lasting returns to Kosovo, as well as creating the conditions for real investor confidence and, ultimately, a stable society. The close cooperation between UNMIK and the provisional institutions of self-government will be especially important in achieving economic stability and growth.

Finally, we continue to believe that Kosovo's vocation lies in Europe. Its leaders must work to build a truly multi-ethnic, democratic society in order to ensure Kosovo's progress towards European integration. Ireland, together with its partners in the European Union, will continue to support such integration and regional cooperation through the Stability Pact and the Stabilization and Association Process, as well as in our bilateral engagements with the region.

The President: I thank the representative of Ireland for his very kind words addressed to my country.

Mr. Diallo (Guinea) (*spoke in French*): We should like to wish you welcome, Mr. Minister, and to assure you of our cooperation during your country's presidency. I should also like to thank Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, for the valuable information that he has just given us.

The regular consideration of the question of Kosovo stems from the Council's interest in ensuring the effective implementation of resolution 1244 (1999). My delegation welcomes the substantial progress made since the beginning of this year in certain areas, which deserves to be pointed out.

On the political level, that progress includes the establishment of democratic institutions, the effective formation of a multi-ethnic Government, the principle of tolerance among Albanians, and the improvement of relations between Kosovo, on the one hand, and the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia, on the other.

In the security area, achievements include the increasingly multi-ethnic composition of the Kosovo Protection Force and the programme to collect weapons and munitions held illegally by Kosovars.

On the judicial level, there is cooperation between the authorities of the Federal Republic of Yugoslavia and the provisional authorities of the province, the transfer of Albanian detainees from Serbia to Kosovo, and consideration by the United Nations Interim Administration Mission in Kosovo

(UNMIK) department of justice of the legal cases concerning the majority of the remaining detainees.

With regard to the humanitarian situation, achievements include the gradual settlement of the question of missing, detained and repatriated persons and the appointment of an UNMIK official responsible for the issues of repatriation and reintegration of ethnic minorities.

My delegation is encouraged by the information just provided by Mr. Annabi regarding UNMIK's initiatives to enforce the rule of law, to prepare for the municipal elections in October and to create the necessary conditions for the return and reintegration of minorities. Those initiatives must be robustly supported. Mr. Steiner's tireless efforts to consolidate them deserve to be particularly commended. We condemn the defamatory and inciting statements of certain Kosovar authorities following the arrests by UNMIK last August in its efforts to enforce the law.

In conclusion, my delegation believes that it is now up to all the actors engaged in the process of implementing resolution 1244 (1999) to redouble their efforts in order to resolve the remaining problems and to finish the job.

The President: I thank the representative of Guinea for his kind offer of cooperation.

I shall now make a statement in my national capacity.

As a future member of the European Union, Bulgaria aligns itself with the statement that will be made shortly by the Permanent Representative of Denmark on behalf of the European Union. I would like to make some additional comments of particular importance to my country.

Presiding over the Security Council in its open meeting on Kosovo is of significant importance to Bulgaria. The situation in the province continues to have a great impact on the whole region of South-Eastern Europe. Like other delegations, we are convinced that a visit by the Council to Kosovo and the region would be useful with regard to political developments.

On the eve of the municipal elections in Kosovo, Bulgaria is confident that the process of democratic institution-building, the establishment of the rule of law, the strengthening of overall security, economic recovery and respect for human rights are gradually becoming an integral part of everyday life in the province. My country strongly endorses the efforts of the Special Representative of the Secretary-General, Mr. Michael Steiner, and of the United Nations Interim Administration Mission in Kosovo (UNMIK) to normalize life in Kosovo.

The United Nations plays a central role in the province, clearly defined in Security Council resolution 1244 (1999). We consider the presence of UNMIK and KFOR in Kosovo to be a key factor, providing a favourable environment for its democratic transition and transformation.

The progress achieved in building multi-ethnic provisional institutions of self-government in Kosovo under the constitutional framework is remarkable. At the same time, we deem the attempts of extremists to contest or undermine the supremacy of the United Nations jurisdiction in the province totally irresponsible and unacceptable.

Bulgaria would like to reaffirm its strong support for Mr. Steiner's sustained efforts to establish the rule of law in Kosovo through UNMIK's policy of zero tolerance of crime and violence. Bulgaria continues to stress the need to finally complete the investigation of the cruel assassination in 1999 of the Bulgarian citizen and United Nations official Mr. Valentin Kroumov and to punish the perpetrators.

Bulgaria commends the determination of the Special Representative of the Secretary-General and of UNMIK to bring to justice those responsible for acts of violence, regardless of their ethnicity. Neither the rule of law nor reconciliation among Kosovars of all communities can be established without allowing the law enforcement authorities to do their work. We deplore the recent acts of violence against UNMIK police and KFOR and consider them an irresponsible challenge to United Nations authority in the province.

My country believes and fervently hopes that Kosovo's future will be a multi-ethnic one. No other solution should be tolerated by the international community. Therefore, we urge Kosovo's institutions of self-government, UNMIK and the Belgrade authorities to work together in a cooperative way and to find a lasting solution to the refugees' problems.

Throughout the past decade of violence at its western borders, Bulgaria has played a significant role

in the stabilization of the region. We will remain committed to that role in the future. Bulgaria is participating with a substantial number of officers, nearly 100 persons, in Kosovo's civilian police force, and one platoon under KFOR command. My country is providing additional personnel for the forthcoming municipal elections in October under the monitoring mechanism of the Organization for Security and Cooperation in Europe. We shall continue to provide the necessary support for peacekeeping operations in the Western Balkans region.

However, the rule of law and democratic governance cannot operate in an economic vacuum. Here I agree with what was said earlier by the British delegation. Economic stability guaranteed by substantial infrastructural investment — let me call it "infrastructural revolution" — in the region is needed as a precondition for sustainable development and prosperity. The improvement of general living conditions for all Kosovars — regardless of their ethnic origin — is evident, but the process of healing the wounds of the past needs more time. Therefore, the international community must take a realistic and constructive approach to the time frame for the post-conflict rehabilitation and development of Kosovo. Bulgaria is adamant that Kosovo's future lies in a united Europe created by the process of European integration.

I now resume my functions as President of the Council.

I give the floor to the representative of the Federal Republic of Yugoslavia.

Mr. Šahović (Yugoslavia): I would like to congratulate you, Sir, on Bulgaria's assumption of the presidency of the Security Council. Seeing you preside over this meeting, Mr. Foreign Minister, provides telling evidence of the attention with which Bulgaria, Yugoslavia's neighbour, addresses a question of paramount importance to our region. I also wish to thank Mr. Annabi for his comprehensive and interesting briefing.

After many difficult years of effort to put an end to the conflicts in the Balkans, stability still continues to elude some areas of South-East Europe. No doubt, Kosovo and Metohija will be central in determining whether the process of stabilization will take root and proceed towards accelerated integration into Europe or be stalled in a quagmire of prolonged instability. The events that have taken place in the past several weeks are a clear demonstration of the volatility of the situation in the province.

Indeed, it is with concern that we must note that the security situation in the province remains grave. We find it necessary to draw the Council's attention to the recent joint report by the Organization for Security and Cooperation in Europe and the Office of the United Nations High Commissioner for Refugees, and particularly to its statement that despite gradual improvements in security, the occasional recurrence of extremely violent attacks reinforces the pervasiveness of fear among minorities.

We recognize and support the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to deal with the problem and to proceed more energetically to establish the rule of law. In that context, Yugoslavia believes that it is very important to maintain an approach that would ensure that justice is dispensed fairly and unselectively, and not as a function of day-to-day politics. A decisive approach to violence against minorities, including beginning the prosecution of crimes perpetrated against members of minority groups, is of equal significance for building a just society in Kosovo and Metohija, which is our common goal.

Border control is another significant aspect of general security. During the month of August, KFOR detained several individuals who had attempted to illegally cross the borders with Macedonia and Albania. Those incidents, as well as some others, demonstrate that far more robust efforts are needed to secure the borders. This is of particular importance if we want to prevent the export of violence from Kosovo and Metohija and the destabilization of other countries in the region.

It is necessary to state yet again that improved security also constitutes the essential precondition for the return of internally displaced persons. Only a few days ago, the ombudsman for Kosovo and Metohija said that the recent attack on Serbs in Gorazdevac would adversely affect returns. We fully share that view. Various figures have been cited for the number of people who have returned but, in addition to numbers, the core issue — to paraphrase Special Representative Michael Steiner — is whether return is in fact a genuine option at all.

Among other things, genuine return means returns to all parts of Kosovo and Metohija, including urban areas. At present, Kosovska Mitrovica, divided as it is and often perceived only as a problem, nevertheless remains the only multi-ethnic urban settlement. Responsible efforts to alleviate tensions in that city need to be based on patience and caution. Furthermore, the arrangements for the administration of the city must open up prospects for coexistence among all of the city's communities. Of course, we believe that the option to return and stay has to be realistic and viable not only in Kosovska Mitrovica but also throughout the province. In that regard, progress in addressing the question of missing persons is indispensable. Three years after the arrival of the international presences, thousands of people remain unaccounted for. We therefore call on UNMIK to address this issue in a forceful and effective way.

The protection and restoration of cultural heritage is also of great importance, all the more so as the scale of the destruction of historically and culturally unique monuments in the province is enormous and unacceptable. This also remains an obstacle to post-conflict healing. My Government expects UNMIK to address this issue in full accordance with the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. For its part, Yugoslavia is ready to shoulder its share of responsibility.

New elections in Kosovo and Metohija are scheduled for the end of next month. My Government has repeatedly stressed the importance of Serbs in Kosovo and Metohija participating in those elections, and has called on them to do so. However, there is no doubt that their turnout will be affected by the pace and effectiveness with which their problems are addressed and resolved. They also need to start believing that there are tangible benefits to be derived from participating in local Government.

It is quite obvious that stability and European standards of tolerance and normalcy are still very far from reality in Kosovo and Metohija. To attain them the province must address itself to fulfilling at least the minimum requirements set by the benchmarks established by the Special Representative of the Secretary-General, a process that has yet to begin. That is primarily the responsibility of the provisional institutions of self-government. At the same time, UNMIK must continue to exercise its reserved powers.

Much still remains to be done in every field before discussions begin on the final status of the province. We place great value on the fact that this view prevails in the Security Council. Therefore, any speculation about deadlines for the international presence could harm the efforts to address the question of Kosovo and Metohija in its entirety. The only way to move forward is to focus on the implementation of the mandates of the international presences as provided for by Security Council resolution 1244 (1999), as well as on strict compliance with the Constitutional Framework and the UNMIK/Federal Republic of Yugoslavia Common Document.

The President: I thank the representative of the Federal Republic of Yugoslavia for his kind and neighbourly words addressed to my country and to myself.

The next speaker inscribed on my list is the representative of Ukraine. I invite him to take a seat at the Council table and to make his statement.

Mr. Kuchinsky (Ukraine): On behalf of the Ukrainian delegation, I would like to welcome you, Sir, and to thank you for holding this extremely important meeting, which opens the month of the Bulgarian presidency of the Security Council. I would also like to avail myself of this opportunity to wish the whole Bulgarian team every success in fulfilling its highly responsible duties. Our thanks also go to Assistant Secretary-General Annabi for his comprehensive update of the situation in Kosovo.

Ukraine reiterates its support for the United Nations Interim Administration Mission in Kosovo (UNMIK) and for the efforts of Special Representative Michael Steiner, who at this stage is helping Kosovo, as he has put it, to look at the road, not at the horizon. In fact, today the Kosovo horizon is not visible even to wizards or clairvoyants. Instead of seeing the horizon, the region faces a curtain of problems.

It is of vital importance that UNMIK continue to take robust measures aimed at strengthening the rule of law in the province. Regrettably, the recent criminal charges and the arrests of several former members of the Kosovo Liberation Army (KLA) on suspicion of committing serious crimes prompted a number of protests and accusations on the part of Kosovo leaders who were claiming that those efforts were politically motivated. In that regard, my delegation endorses the statement by the presidency of the European Union of

20 August 2002, which recognized that UNMIK actions were taken in accordance with established judicial processes and irrespective of any ethnic or political affiliation of the suspects. We believe that thorough criminal investigations against the alleged perpetrators of the crimes, together with efforts to contain organized crime networks, should reinforce the understanding that nobody can be above the law.

Another critical issue for Kosovo is the preparations for municipal elections to be held in October 2002. We note that, despite the divisions in opinion regarding the recent arrests, all of Kosovo's political leaders have called for the elections to be all-inclusive and to take place in a peaceful and calm manner. Such an approach testifies to the visible, positive changes in the province and Ukraine encourages all the communities to participate in the balloting, thus ensuring and protecting their rights.

It is a welcome sign that UNMIK's continuing efforts, in close cooperation with Belgrade, have resulted in the increase of returnees. However, it seems to be quite an ironic situation that, at this particular moment, UNMIK and the Office of the United Nations High Commissioner for Refugees are encountering a substantial lack of funding. In this regard, we add our voice to those of other delegations that have called upon donors to provide the international presence in Kosovo with the necessary financial resources and to encourage all the actors involved to promote this important work. In our view, the returns-related efforts should be strengthened by a coordinated policy aimed at facilitating inter-ethnic dialogue in the province.

My delegation fully endorses the recommendations made by the Organization for Security and Cooperation in Europe mission in Kosovo. Through training, education and media campaigns, it should be ensured that measures aimed at reconciliation and inter-ethnic dialogue are central, and not marginal features in Kosovo. We believe that this is the only possible way to guide Kosovo's citizens in building a multi-ethnic and democratic society.

Establishing the rule of law, a safe and secure environment, economic development and inter-ethnic dialogue — all these critical tasks remain on the Kosovo agenda and require immediate action by its leaders, close cooperation with Belgrade and consistent international support. Ukraine is ready to continue its active participation in the stabilization processes in Kosovo and expresses its firm commitment to the ongoing international efforts to bring peace and stability to the region.

The President: I thank the representative of Ukraine for his kind words addressed to Bulgaria and the Bulgarian team here in the United Nations.

The next speaker on my list is the representative of the Former Yugoslav Republic of Macedonia. I invite him to take a seat at the Council table and to make his statement.

Mr. Kerim (Former Yugoslav Republic of Macedonia): First of all, I would like to thank you very much, Sir, for giving me the opportunity to address the Security Council at this meeting. At the same time, I would like to join previous speakers who have expressed their appreciation for your personally presiding over this meeting, which represents a confirmation of Bulgaria's active approach and the importance that it attaches to the region.

I would also like to thank Assistant Secretary-General Annabi for his very informative briefing on the situation and current activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR in Kosovo. From what we have heard today, UNMIK and KFOR are clearly achieving important results in spite of the significant problems that they are facing daily and will be facing in the future.

The Government of the Republic of Macedonia gives its full support for the efforts and activities undertaken by UNMIK and KFOR in Kosovo aimed at the further improvement of the overall situation by working together with Kosovo's provisional institutions of self-government, ensuring the implementation of resolution 1244 (1999) and building a democratic society with respect for all human rights and freedoms. We would also like to express our appreciation for the work done by Special Representative Steiner and our support for the implementation of his policy of benchmarks, which is in full accordance with what the representative of the United Kingdom today called a "standards before status" approach.

The Republic of Macedonia is fully committed to cooperation with UNMIK and KFOR in ensuring the implementation of these objectives. The Government of my country, in a session two days ago, assessed and endorsed the agreement on cooperation between

UNMIK police and the Ministry of the Interior of the Republic of Macedonia. The conclusion of this agreement will have enormous significance for the promotion and development of cooperation between UNMIK police and the Macedonian Ministry of the Interior in combating organized crime, terrorism, illegal trafficking in arms, drugs and people, and money laundering.

On the border issue, the Macedonian Government has worked closely with UNMIK in order to undertake concrete steps that will facilitate the movements of farmers in the border area and the cultivation of their lands. This is in full accordance with the agreement reached between the President of the Republic of Macedonia, Boris Trajkovski, and Special Representative Steiner aimed at finding practical solutions to these problems. As a result, we have agreed to open new border crossings — as mentioned in the statement of Assistant Secretary-General Annabi today — and established a temporary procedure to be applied pending the finalization of the ongoing process of demarcation and delineation of the border between the Republic of Macedonia and the Federal Republic of Yugoslavia.

We welcome the prompt and decisive action of Mr. Steiner with regard to the recent arrests of former members of the Kosovo Liberation Army by United Nations police in Kosovo. The political authorities of the Republic of Macedonia give full support to UNMIK and KFOR in their endeavours to put an end to the activities of the people and organizations in Kosovo that use violence in pursuit of their political goals, regardless of their ethnic, national or political affiliation, especially because their extremist agenda is not limited to Kosovo alone. In this respect, we call upon all the neighbouring countries to take a clear and consistent position on this issue.

To our great disappointment, Kosovo's provisional institutions of self-government issue statements opposed to the intentions of UNMIK and KFOR to uphold the rule of law in Kosovo. These public statements only divert the local Kosovo authorities from their true goals and do not contribute to the overall stabilization of Kosovo, the achievement of the benchmarks or the spirit of regional cooperation that should bring us, all together, closer to European integration.

In conclusion, I would like to reaffirm the valuable contribution of the Security Council in upholding the security of my country in the process of overcoming the crisis that the Republic of Macedonia has faced in the course of the past year. In this regard, acknowledging the United Nations continuous policy of decisive and consistent action to prevent instability and conflicts in the region and to ensure peace and security in South-Eastern Europe, I would like to make use of this opportunity to refer once again to Security Council resolutions 1345 (2001) and 1371 (2001), as well as to its presidential statements of 12 and 16 March 2001 and 13 August 2001, which substantially contributed to this end.

Before I conclude my statement, I would like, Sir, to wish you success in the Bulgarian presidency of the Security Council in the month of September.

The President: I thank the representative of the former Yugoslav Republic of Macedonia for the kind words of a neighbour addressed to Bulgaria.

I now give the floor to the representative of Denmark. I invite her to take a place at the Council table and to make her statement.

Ms. Løj (Denmark): I have the honour to speak on behalf of the European Union. The countries of Central and Eastern Europe associated with the European Union — Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as the European Free Trade Association countries members of the European Economic Area, Iceland and Liechtenstein, align themselves with this statement.

Let me begin by congratulating you, Mr. Minister, as others who have spoken before me have done, on Bulgaria's assumption of the presidency of the Security Council for the month of September.

I would like to thank Assistant Secretary-General Annabi for his informative briefing on the latest developments in Kosovo since the meeting of the Council on 30 July. Allow me also at the outset to welcome the recent appointment of Mr. Francesco Bastagli as the deputy head of the United Nations Interim Administration in Kosovo (UNMIK) in charge of civil administration.

The European Union is satisfied that Kosovo continues to move in the right direction towards the

full implementation of resolution 1244 (1999). We welcome the continuing progress in the preparations for the municipal elections on 26 October, and we are encouraged by the latest figures on the number of political entities from all communities that have been certified. The creation of a multi-ethnic coalition following the recent municipal elections in southern Serbia should serve as inspiration for the parties in Kosovo.

At the same time, however, we are seriously concerned by recent events that have increased political tensions in Kosovo. In particular, the European Union deeply regrets that the demonstrations protesting the arrest of former members of the Kosovo Liberation Army and others led to violent clashes between demonstrators and UNMIK police and KFOR and resulted in large numbers of injured. We also deplore the statement of the Kosovo Government which imputed a political motivation into efforts to uphold the rule of law in Kosovo.

The European Union fully supports UNMIK's efforts to maintain order and uphold the rule of law in Kosovo. The authority of UNMIK in this respect is clearly established by the Security Council in resolution 1244 (1999). The European Union is confident that recent arrests have taken place in accordance with the established judicial process and have been carried out regardless of the ethnic, national or political affiliation of the suspects.

The European Union calls upon all politicians in Kosovo to contribute to a society that respects the rule of law and in which the judiciary performs its functions without political interference. This is a basic requirement for progress in Kosovo, as well as for closer relations with the European Union.

The European Union expresses its strong concern regarding recent events in the area of Pec, where UNMIK police and KFOR came under fire from several attackers while protecting Kosovo Serb farmers. In particular, the European Union deplores that these events took place in an area that is of great importance for the implementation of the return programme in Kosovo.

The European Union notes the recent progress achieved in the return process with the assistance of UNMIK and the Office of the United Nations High Commissioner for Refugees, and we reaffirm the importance of continuing to work towards a more favourable climate for the acceptance of returnees. We encourage further collaboration between UNMIK and the Kosovo provisional institutions to establish the necessary conditions for the acceleration of the return process. At the same time, it is important that the returns take place in an orderly fashion to ensure the sustainability of this process.

I shall conclude by underlining that the European Union remains fully committed to supporting the peaceful long-term development of Kosovo. We encourage all parties to continue to work together in a responsible manner towards achieving this common objective.

The President: I shall now invite Mr. Annabi to respond to comments, if he wishes.

Mr. Annabi: There were no specific questions addressed to me, but since I have the floor, let me take the opportunity to thank members of the Council for the support they have expressed to UNMIK in its efforts to ensure the implementation of its mandate in general and to uphold the rule of law in particular. I am sure that this support will be very much appreciated by our colleagues in UNMIK at a time when they are working on the preparation of the municipal elections scheduled for next month.

Let me thank you, Mr. President, for having organized this meeting.

The President: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1 p.m.